

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Planning and Building	(2) MEETING DATE 1/12/2016	(3) CONTACT/PHONE Stephanie Fuhs, Planner/(805) 781-5721	
(4) SUBJECT Request to Authorize the Use of Alternative Publication Procedures for the Winter General Plan Amendment Cycle. All Districts.			
(5) RECOMMENDED ACTION It is recommended that the Board: <div style="margin-left: 20px;"> 1. Authorize that a display advertisement of one-quarter page be published in two newspapers of general circulation in the north and south areas of the County, on or before January 22, 2016, indicating the general nature of the proposed amendments that will be considered on February 2, 2016, can act as the alternative publication pursuant to Government Code §25124(b)(2). 2. Authorize that a one-quarter page display advertisement be placed in two newspapers of general circulation within 15 days after adoption of the proposed amendments by your Board. </div>			
(6) FUNDING SOURCE(S) Current Budget/ Application Fees	(7) CURRENT YEAR FINANCIAL IMPACT \$0.00	(8) ANNUAL FINANCIAL IMPACT \$0.00	(9) BUDGETED? Yes
(10) AGENDA PLACEMENT <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Presentation <input type="checkbox"/> Hearing (Time Est. ____) <input type="checkbox"/> Board Business (Time Est. ____)			
(11) EXECUTED DOCUMENTS <input type="checkbox"/> Resolutions <input type="checkbox"/> Contracts <input type="checkbox"/> Ordinances <input checked="" type="checkbox"/> N/A			
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: <input type="checkbox"/> 4/5 Vote Required <input checked="" type="checkbox"/> N/A	
(14) LOCATION MAP N/A	(15) BUSINESS IMPACT STATEMENT? No	(16) AGENDA ITEM HISTORY <input checked="" type="checkbox"/> N/A Date: _____	
(17) ADMINISTRATIVE OFFICE REVIEW Lisa M. Howe			
(18) SUPERVISOR DISTRICT(S) All Districts			

County of San Luis Obispo



TO: Board of Supervisors

FROM: Planning and Building / Stephanie Fuhs, Planner

VIA: Ellen Carroll, Planning Manager/Environmental Coordinator

DATE: 1/12/2016

SUBJECT: Request to Authorize the Use of Alternative Publication Procedures for the Winter General Plan Amendment Cycle. All Districts.

RECOMMENDATION

It is recommended that the Board:

1. Authorize that a display advertisement of one-quarter page be published in two newspapers of general circulation in the north and south areas of the County, on or before January 22, 2016, indicating the general nature of the proposed amendments that will be considered on February 2, 2016, can act as the alternative publication pursuant to Government Code §25124(b)(2).
2. Authorize that a one-quarter page display advertisement be placed in two newspapers of general circulation within 15 days after adoption of the proposed amendments by your Board.

DISCUSSION

On February 2, 2016, your Board will hold a public hearing for the Winter General Plan Amendment Cycle for the following amendments:

1. A request by **FRANK MAZZONE** for an amendment to the San Luis Bay Inland Sub Area of the San Luis Obispo Area Plan of the Land Use and Circulation Element to change the land use category from Agriculture (16.74 acres) to Residential Rural. A Planning Area Standard is also proposed which will limit any future subdivision to two parcels and prohibit secondary residences. The project site is located at 6505 Monte Road, San Luis Obispo on the east side of Highway 101 at the intersection of San Luis Bay Drive and Monte Road, approximately 3 miles south of the City of San Luis Obispo, in the San Luis Bay Inland Sub Area North of the San Luis Obispo Planning Area.

County File Number: **LRP2013-00016** Assessor Parcel Number: 076-251-044
Supervisory District: 3 Date Authorized: September 23, 2014

2. A request by the **COUNTY OF SAN LUIS OBISPO** to amend the County's Official Maps – Part III of the Land Use Element /Local Coastal Plan (Estero Area Plan) by adjusting the Urban Services Line to include the neighborhood of Monarch Grove. This amendment would allow the Monarch Grove neighborhood to be served by the Los Osos Wastewater Project. The area is located west of Pecho Valley Road and south of Monarch Lane in the neighborhood of Monarch Grove, in the community of Los Osos (Estero Area Plan).

County File Number: **LRP2014-00021**

APN(s): 074-028-001 thru 035; 074-027-001 thru 039; and 074-029-001 thru 015

Supervisory District: 2

Date Accepted: n/a

3. A request by **PAUL VANDERHEYDEN** for a General Plan Amendment to the San Luis Obispo Sub Area of the San Luis Obispo Area Plan of the Land Use and Circulation Element to change the land use category on a 21.5 acre site from Agricultural to Residential Rural. The project is located approximately 500 feet east of the eastern terminus of Tiburon Way, on the east side of Orcutt Road, located on the eastern boundary of the City of San Luis Obispo, in the San Luis Obispo North Sub Area of the San Luis Obispo planning area.

County File Number: **LRP2010-00006**

Assessor Parcel Number: 076-531-009

Supervisory District: 3

Date Accepted: N/A

4. A request by the **COUNTY OF SAN LUIS OBISPO** for an ordinance to amend Title 22 of the San Luis Obispo County Code, The Land Use Ordinance, by amending Section 22.30.204 to correct an internal inconsistency. At a public hearing on October 27, 2015, the Board of Supervisors adopted Ordinance 3308 to amend Title 22 to set forth requirements for Agricultural Offset Clearances as part of the Countywide Water Conservation Program. Prior to adoption, the Board removed a provision related to planting that occurred between August 27, 2015 and the effective date of Ordinance 3308. This language was removed according to Board direction, but inconsistent language remains in the applicability section (Section A) of 22.30.204. The proposed ordinance would amend Title 22 Section 22.30.204 to remove all reference to the deleted language consistent with Board direction. The proposed ordinance affects Districts 1 and 5.

County File Number: **LRP2015-00006**

Assessor Parcel Number: N/A

Supervisory District: 1 and 5

Date Accepted: N/A

The California Government Code, Section 25124, establishes specific publication requirements for General Plan and ordinance amendments. Your Board can order that a display advertisement be published in a newspaper of general circulation in the county prior to the public hearing and that a display ad be placed in a newspaper of general circulation following action on the amendments.

Staff Comments

The California Government Code establishes specific publication requirements for General Plan and ordinance amendments, and offers two cost-saving alternatives to publishing the complete text of an adopted ordinance after its passage (which has historically been the most commonly-used method). The alternatives include either publishing a summary of the proposed amendments; or, where the official responsible for the ordinance determines that a summary would not be effective, and with the consent of your Board, a simple display ad can be published in a local newspaper noting the hearing date, brief project description and passage of the ordinance, where it can be obtained, and how your Board voted on its adoption.

A quarter page display ad will be the best option to notice as a fair and adequate summary of the proposed amendments would be infeasible to prepare. To summarize the ordinance amendment language would leave out important context and provide an incomplete picture of the amendments. A summary may also be seen as confusing and could discourage people from reading the full text and intent of the program. A display ad is better suited to direct people exactly where to find the proposed ordinance amendments and read the language that will be heard by the Board of Supervisors.

Therefore, in accordance with Section 25124 of the California Government Code, we are requesting that your Board order that a display advertisement of a one-quarter page be published in two newspapers of general circulation in the county at least five days prior to the hearing date, indicating the general nature

of the proposed ordinance amendments to be considered. In addition, it is requested that your Board direct that a one-quarter page display advertisement be placed in two newspapers of general circulation within 15 days after adoption of the proposed amendments. The request for publication in two newspapers is consistent with recent Board direction for noticing on water-related amendments.

Because publication of a display advertisement provides clear public notice and would cost substantially less than the full text of the adopted amendments, and because the diversity of topics covered in the amendments does not enable a meaningful summary, your favorable consideration on this matter is appreciated.

OTHER AGENCY INVOLVEMENT/IMPACT

The County Clerk-Recorder's office will be responsible for publishing the notice prior to the hearing and the summary ad following adoption of the ordinance.

FINANCIAL CONSIDERATIONS

The current cost of publishing two quarter page display ads in two different newspapers is approximately between \$2,200 and \$2,500. Reproducing the complete text of all of the amendments contained in these ordinance amendments would cost approximately between \$30,000 and \$38,000, over 1200 percent more than the cost of two quarter-page display ads, depending on the size of the amendment text.

One display ad is published prior to the hearing and the second display ad is published following the decision which summarizes the decision made by the Board. This display ad provides disclosure to the public that amendments were approved, where they may be obtained, and how the Board voted, but does not require that the entire amendment text be published, thereby saving the cost of publishing the amendments in their entirety.

RESULTS

Advertising of the amendments will allow public hearings to occur in conformance with the Government Code and will cost substantially less than publishing the full text of the adopted amendments. This is consistent with the County goal of promoting a prosperous and well governed community.